



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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February 27, 2013

To: Supervisor Mark Ridley-Thomas, Chairman  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

## SACRAMENTO UPDATE

### Executive Summary

This memorandum provides an update on the following:

- **Pursuit of County Position to Support SB 287 (Walters).** As introduced February 14, 2013, SB 287 would prohibit an individual who has a prior conviction for a serious or violent felony from being released from State prison to county supervision. Consistent with existing policy, and unless otherwise directed by the Board, **the Sacramento advocates will support SB 287.**
- **Status of County-Supported ABX1 1 (Perez) and SBX1 1 (Hernandez and Steinberg).** These measures would expand Medi-Cal eligibility to persons under 65 years of age with incomes at or below 133 percent of the Federal Poverty Level under the Affordable Care Act.
- **Legislation of County Interest - AB 1151 (Ting).** This measure would require a property tax agent to register annually with the Secretary of State before representing a taxpayer before any county official.

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### **Pursuit of County Position on Legislation**

**SB 287 (Walters)**, which, as introduced on February 14, 2013, would prohibit any person released from State prison who has a prior conviction for a serious or violent felony, a crime for which the person received a third strike, or a crime that resulted in the person being classified as a High Risk Sex Offender, from being released to Post-Release Community Supervision pursuant to AB 109 (Chapter 15, Statutes of 2011).

AB 109 of 2011 shifted responsibility for the incarceration and supervision of certain offenders from the State to counties and created Post-Release Community Supervision (PRCS) whereby certain offenders released from State prison are supervised by county probation departments and not State Parole. To be eligible for PRCS, prison inmates must not be serving a current sentence for a serious or violent offense, or a crime that classifies the inmate as a High Risk Sex Offender. An inmate's past criminal history or previous convictions are not considered in the eligibility assessment for PRCS. Inmates that do not meet the PRCS eligibility criteria are released to the supervision of State Parole.

SB 287 would change the criteria for PRCS to preclude anyone with a prior conviction for a serious or violent offense, a third strike conviction, or a crime that classified the inmate as a High Risk Sex Offender from being released to county supervision. Under the new criteria set forth by SB 287, those prison inmates scheduled for release, but not eligible for PRCS, would be released under the supervision of State Parole.

It is important to note that as introduced, SB 287 would significantly alter major provisions of AB 109 of 2011 and would shift a potentially sizeable number of individuals back to State supervision. Any change of this magnitude to the realignment structure may be considered as a reversal of the intent of the legislation and, as a result, the Administration would likely not be receptive to SB 287 or similar legislation if it were passed by the Legislature.

SB 287 is identical to SB 1150 (Dutton), introduced during the previous legislative session, which the County supported. SB 1150 failed to pass out of committee and did not proceed.

Therefore, consistent with existing Board approved policy to support legislation that would amend the criteria for Post-Release Community Supervision under AB 109 to consider a State prison inmate's past violent or serious criminal history or history of sexual offenses, and, unless otherwise directed by the Board, **the Sacramento advocates will support SB 287.**

SB 287 is currently pending referral to committee.

### **Status of County-Advocacy Legislation**

**County-supported ABX1 1 (Perez)**, which, as introduced in the Special Session on Health Care Reform on January 28, 2013, would expand Medi-Cal eligibility to persons under 65 years of age with incomes at or below 133 percent of the Federal Poverty Level and make various changes which simplify enrollment and eligibility procedures for persons currently eligible to Medi-Cal to conform to provisions of the Federal Affordable Care Act, passed the Assembly Appropriations Committee by a vote of 12 to 5 on February 25, 2013. This measure now proceeds to the Assembly Floor.

**County-supported SBX1 1 (Hernandez and Steinberg)**, which is identical to **County-supported ABX1 1**, also introduced in the Special Session on Health Care Reform on January 28, 2013, passed the Senate Health Committee by a vote of 6 to 1 on February 27, 2013. This measure now proceeds to the Senate Appropriations Committee.

### **Legislation of County Interest**

**AB 1151 (Ting)**, which, as introduced on February 22, 2013, would, beginning July 1, 2014, require a property tax agent to register annually with the Secretary of State before representing a taxpayer before any county official.

Under existing law, a taxpayer is authorized to file an application for a reduction in the assessment of their annual property valuation with a county's assessment appeals board and is authorized to employ a tax agent to act on their behalf with county officials on issues related to property tax valuations.

AB 1151 would require a tax agent, defined as an individual employed to communicate on behalf of a taxpayer with any county official for the purpose of influencing official action relating to the establishment of property tax valuation, to register annually with the Secretary of State for an unspecified annual fee. AB 1151 would prohibit an agent from registering and providing services as a tax agent in the State if he or she has been convicted of a felony under State or Federal tax law, or any other criminal offense involving perjury, fraud, breach of trust, or moral turpitude, or has been disbarred from practice as an attorney, certified public accountant, or actuary. In addition, AB 1151 would require the Secretary of State to semiannually post a list of registered tax agents on its Internet Web site. Finally, the measure would authorize the Attorney General to pursue civil fines for the failure to comply with these provisions.

Item No. 2 on the February 26, 2013 Board Agenda, was the public hearing for the adoption of the County's Tax Agent Registration Ordinance. This ordinance would amend the County Code to implement a registration process for all tax agents practicing

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in the County. The proposed County Tax Agent Registration Program, which would be implemented within the Assessment Appeals Board Division, would require tax agents to register with the Executive Office of the Board, paying an annual fee of \$250. Under the proposed ordinance, an agent is prohibited from registering and providing services as a tax agent in the County if he or she has been convicted of a felony under State or Federal tax law, or any other criminal offense involving perjury, fraud, breach of trust, or moral turpitude, or has been disbarred from practice as an attorney, certified public accountant, or actuary. The County's Tax Agent Registration Program would be responsible for posting an online listing of all tax agents working throughout the County, including those not in compliance with the ordinance. Under the ordinance, the Executive Officer of the Board would have the discretion to pursue administrative fines or non-compliance fees for failure to comply. The proposed ordinance further specifies that the Assessment Appeals Board Division would be responsible for publishing semi-annual tax agents' campaign activity reports. The Board hearing for the adoption of this ordinance was continued for 60 days.

AB 1151 is currently pending referral to committee.

**This office is working with the Executive Office of the Board and County Counsel to determine the impact of this bill on the County and make appropriate recommendations to the Board.**

We will continue to keep you advised.

WTF:RA  
MR:KA:IGEA:ma

c: All Department Heads  
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